

SUMMARY

I. Description of Item

This resolution approves an amendment to the contract with Diebold Election Systems, Inc. for the purchase of the Accuvote TSX voting system and the Electronic Poll Book Voter Verifiable Paper Audit Trail. The total amount of the original appropriation was \$4,213,860.26 for the voting system and \$2,245,353.15 for the Electronic Poll Book and Voter Verifiable Paper Audit Trail. These funds were appropriated as CIP funds in the resolution approving this purchase adopted as item # 38 on March 13, 2006. The Election Commission has voted to request the approval by the Shelby County Board of Commissioners of a change to the specifications detailed on Schedule D of the original contract with Diebold to reallocate the funds specified for the Voter Verifiable Paper Audit Trail to purchase additional Electronic Poll Books. The funds specified on Schedule D for the Voter Verifiable Paper Audit Trail System was \$677,550.00. The Election Commission has voted to reallocate these funds for the purchase of additional Electronic Poll Books. The reallocation of these funds will not exceed the originally appropriated CIP funds for this purpose.

II. Source and Amount of Funding

Capital Improvement Funds originally appropriated by resolution 38 adopted on March 13, 2006. The amount appropriated was \$6,459,213.41. The amount to be reallocated for the purchase of additional Electronic Poll Books is \$677,500.00

III. Contract Items

Amendment to Schedule D itemizing components of the Voting Machine Implementation Project in the contract entered into between Diebold Elections Systems, Inc. and Shelby County approved by resolution 38 adopted on March 13, 2006.

IV. Additional Information Relevant to Approval of this Item

Item_____

Prepared by Grace Hutchinson

Commissioner_____

Approved by Kathy Kirk

RESOLUTION AMENDING THE CONTRACT WITH DIEBOLD ELECTION SYSTEMS, INC. FOR THE PURCHASE OF THE ACCUVOTE TSX VOTING SYSTEM AND THE ELECTRONIC POLL BOOK AND VOTER VERIFIABLE PAPER AUDIT TRAIL APPROVED BY RESOLUTION 38 ADOPTED MARCH 13, 2006 TO REALLOCATE FUNDS ORIGINALLY APPROPRIATED SPONSORED BY COMMISSIONER DEIDRE MALONE

WHEREAS, The Shelby County Election Commission adopted a resolution on July 8 , 2008 recommending that the Shelby County Board of Commissioners amend the resolution adopted as item #38 on March 13, 2006 for the purchase of the Accuvote TSX voting system, the Electronic Poll Book and the Voter Verifiable Audit Trail in order to reallocated funds appropriated for the Voter Verifiable Audit Trail for the purchase of additional Electronic Poll Books, said resolution is attached hereto and incorporated herein by reference; and

WHEREAS, The Election Commission is requesting County Commission approval of an amendment to the contract between Shelby County Government and Diebold Elections Systems, Inc. to reallocate funds originally specified for the purchase and installation of a Voter Verifiable Paper Audit Trail to allow the purchase of additional Electronic Poll Books; and

WHEREAS, Funds were appropriated for the total project by resolution #38 on March 13 2006 by the Shelby County Board of Commissioners from Capital Improvement Funds in an amount not to exceed \$4,213,860.26 for the Accuvote TSX Voting System and \$2,245,353.15 for the Electronic Poll Book and Voter Verifiable Paper Audit Trail;

WHEREAS, The Election Commission is requesting the reallocation of funds in the amount of \$677,500 earmarked for the purchase of the Voter Verifiable Paper Audit Trail to purchase additional Electronic Poll Books; and

WHEREAS, This reallocation will not require the appropriation of additional funds over and above those appropriated by resolution #38 adopted on March 13, 2006

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SHELBY COUNTY, TENNESSEE, That an amendment to the contract between Shelby County Government and Diebold Elections Systems, Inc. to reallocate funds in the amount of \$677,500.00 for the purchase of additional Electronic Poll Books funds and eliminate the purchase of the Voter Verifiable Paper Audit Trail is hereby approved.

BE IT FURTHER RESOLVED, That no additional capital funds will be required over and above those originally appropriated by Resolution #38 adopted on March 13, 2006.

BE IT FURTHER RESOLVED, That the Mayor and agents of Shelby County Government are hereby authorized to execute any and all documents required to implement this action upon approval by the Shelby County Board of Commissioners.

BE IT FURTHER RESOLVED, That the Mayor and the Director of the Division of Administration and Finance are hereby authorized to issue their warrant or warrants for the purposes contained in this resolution and to take proper credit in their accounting therefore.

A C Wharton, Jr., Mayor

Date:_____

ATTEST:

Clerk of County Commission

ADOPTED:_____